

REMARKS

[0003] Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1, 4-14, 16, 17, and 19-25 are presently pending. Claims amended herein are 1, 17, and 23-25. Claim 15 is cancelled herein. No new claims are added herein.

Statement of Substance of Interview

[0004] The Examiner graciously talked with me—the undersigned representative for the Applicant—on October 8, 2008. Applicant greatly appreciates the Examiner’s willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005] During the interview, I discussed how the claims differed from the cited references, namely Smith, Lakshminarayanan and Powers. Without conceding the propriety of the rejections and in the interest of expediting prosecution, I also proposed several possible clarifying amendments.

[0006] The Examiner was receptive to the proposals. However, the Examiner indicated that he would need to review the cited references more carefully and do another search, and requested that the proposed amendments be presented in writing.

[0007] Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for me, I welcome your call as well. My contact information may be found on the last page of this response.

Claim Amendments

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 17, and 23-25 herein. Applicant amends claims to clarify claimed features. Such amendments are made to expedite prosecution and more quickly identify allowable subject matter. Such amendments are merely intended to clarify the claimed features, and should not be construed as further limiting the claimed invention in response to the cited references.

[0011] Claims 1, 17, and 23 are amended to include subject matter from dependent claim 15.

Substantive Matters

Claim Rejections under § 101

[0012] Claims 1, 4-17 and 19-22 are rejected under 35 U.S.C. § 101. In light of the amendments presented herein, Applicant respectfully submits that these claims comply with the patentability requirements of §101 and that the §101 rejections should be withdrawn.

[0013] If the Examiner maintains the rejection of these claims, then Applicant requests additional guidance as to what is necessary to overcome the rejection.

Claim Rejections under § 103

[0014] The Examiner rejects claims 1, 4-17 and 19-25 under § 103. For the reasons set forth below, the Examiner has not made a *prima facie* case showing that the rejected claims are obvious.

[0015] Accordingly, Applicant respectfully requests that the § 103 rejections be withdrawn and the case be passed along to issuance.

[0016] The Examiner's rejections are based upon the following references in combination:

- **Smith:** *Smith, et al.*, US Patent Publication No. 2003/0028685 (published February 6, 2003);
- **Lakshminarayanan:** *Lakshminarayanan, et al.*, US Patent Publication No. 2007/5938503 (Published August 31, 2007); and

- **Powers:** *Powers, Focus on OpenView: A guide to Hewlett-Packard's Network and Systems Management Platform.* Fort Washington, PA, USA: CBM Books (1995).

Overview of the Application

[0017] The Application describes a technology for a programming interface that provides functions for generating applications, documents, media presentations and other content. These functions allow developers to obtain services from an operating system, object model service, or other system or service.

Cited References

[0018] The Examiner cites Smith as the primary reference in the obviousness-based rejections. The Examiner cites Lakshminarayanan and Powers as secondary references in the obviousness-based rejections.

Smith

[0019] Smith describes a technology for an application program interface (API) that provides a set of functions for application developers who build Web applications on Microsoft Corporation's .NET.TM. platform.

Lakshminarayanan

[0020] Lakshminarayanan describes the .NET Schema Object Model.

Powers

[0021] Powers is a book on the topic of the .NET Framework Class Library.

Obviousness Rejections

Lack of Prima Facie Case of Obviousness (MPEP § 2142)

[0022] Applicant disagrees with the Examiner's obviousness rejections. Arguments presented herein point to various aspects of the record to demonstrate that all of the criteria set forth for making a prima facie case have not been met.

Based upon Smith, Lakshminarayanan, and Powers

[0023] The Examiner rejects claims 1, 4-17 and 19-25 under 35 U.S.C. § 103(a) as being unpatentable over Smith, Lakshminarayanan, and Powers. Applicant respectfully traverses the rejection of these claims and asks the Examiner to withdraw the rejection of these claims.

Independent Claim 1

[0024] Applicant submits that the combination of Smith, Lakshminarayanan, and Powers does not teach or suggest at least the following elements as recited in this claim (with emphasis added):

- "generating graphical objects using a first group of services"
- "formatting content using a second group of services, ***wherein the second group of services arrange the graphical objects***"

- “creating components of the graphical objects using a third group of services”

[0025] In contrast, the primary reference (Smith) describes a programming interface, which enables a programmer to specify applications such as web services. The programming interface of Smith also includes a plurality of groups of services. Services that the Examiner cites include those enabling drawing of objects and security. Also, Smith mentions the use of XML and HTML.

[0026] In rejecting claim 15 – the features of which are now incorporated in claim 1 – the Examiner cites paragraph 30, lines 4-8 of Smith, which simply mentions the well-known HTML language. As the Examiner notes, HTML can define how elements are displayed. Applicant respectfully submits however, that the mere mention of the well-known HTML language does not teach or suggest a group of services that both formats content and arranges graphical objects. A language—like HTML—does not equate to a “group of services.” HTML language objects might well be the output of a service, for example, but are not a service in and of themselves. Accordingly, because HTML is not a “group of service”, and because the combined references fail to teach or suggest any other group of services that formats content and arranges objects, claim 1 is patentable over the combined references.

[0027] As shown above, the combination of Smith, Lakshminarayanan, and Powers does not teach or suggest all of the elements and features of this claim. Accordingly, Applicant asks the Examiner to withdraw the rejection of this claim.

Independent Claims 17 and 23

[0028] Claims 17 and 23 include recitations similar to those discussed above with regard to claim 1. Accordingly, for at least the same reasons, claims 17 and 23 are patentable over the combination of Smith, Lakshminarayanan, and Powers.

Dependent Claims 4-16, 19-22, 24, and 15

[0029] Claim 15 is cancelled, obviating its rejection.

[0030] Claims 4-14, 16, 19-22, 24, and 25 ultimately depend upon independent claims 1, 17, and 23. As discussed above, claims 1, 17, and 23 are allowable. It is axiomatic that any dependent claim which depends from an allowable base claim is also allowable. Additionally, some or all of these claims may also be allowable for additional independent reasons.

Conclusion

[0031] All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action.** Please call or email me at your convenience.

Respectfully Submitted,

Lee & Hayes, PLLC
Representatives for Applicant

/Robert C. Peck/ _____ Dated: October 9, 2008
Kasey C. Christie (kasey@leehayes.com; x232)
Registration No. 40,559
Robert C. Peck (robp@leehayes.com; 206-315-4001 x219)
Registration No. 56826
Customer No. **22801**

Telephone: (509) 324-9256
Facsimile: (509) 323-8979
www.leehayes.com